

9200/2874

OCT. 09 2002
Docket No.: GR 98 P 4106

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By

Date: October 4, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Peter Hildebrandt et al.
Applic. No. : 09/322,715
Filed : May 28, 1999
Title : Coupling Device
Examiner : Sarah Song - Art Unit: 2874

P E T I T I O N U N D E R 37 C.F.R. 1.8(b)

Hon. Commissioner of Patents and Trademarks,
Washington, D. C. 20231

Sir:

The facts leading to this petition are as follows:

Applicants received a *Notice of Abandonment* dated September 24, 2002, in the above-identified application. According to the aforesaid notice, a copy of which is enclosed herewith, applicants had allegedly not paid the issue fee by the due date of August 16, 2002.

However, applicants did pay the issue fee on August 16, 2002. A copy of the postcard showing the filing date in the Patent Office is enclosed. Form 85 B (issue fee transmittal) bore a mailing certificate under 37 CFR 1.8, which was properly executed on that date.

Enclosed herewith, in accordance with Rule 8(b), is a copy of the previous mailing.

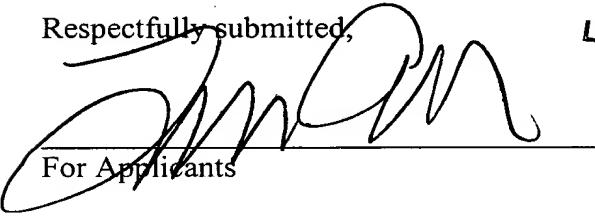
In view of the foregoing, applicants respectfully request that the *Notice of Abandonment* be rescinded and that the application be restored to pending status.

I hereby declare that the foregoing facts have been stated on a personal knowledge basis and that the above-noted paper was submitted timely in accordance with the rules and regulations. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

In view of the foregoing, it is requested that the application be reinstated.

Respectfully submitted,

LAURENCE A. GREENBERG
REG. NO. 29,308


For Applicants

Date: October 4, 2002

Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101
/bb



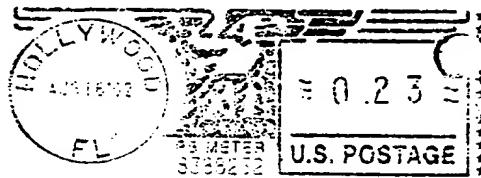
DOCKET NO. GR 98P4106 Mailed Augus. 16, 2002

APP. NO. 09/322,715 Express Mail

The stamp of the Patent Office hereon may be considered the date on which papers indicated below were received.

Applic pgs . . . Rule 53b New Contin Div CIP / Rule 53c Prov. / Rule 53d CPA . . . RCE
 CIP . . . pgs Design . . . Dwgs Declaration Mailing Certif.
 Priority Claim Cert. Prior. Doc(s) PCT Cover Sheet WO
 Amend pgs . . . Prel. Amend pgs . . . Letter
 Response pgs . . . 37CFR1.116 Not. of Appeal
 Brief pgs . . . Appndx pgs . . . I.D.S. + . . . Refs.
 Assoc Pwr of Atty Credit Card \$ 1280.00
 Pet. for Ext . . . Mo. Pet . . . Check \$. . .
 Issue Fee Assignment PTOL 853
 Cert. Trans. Cert. of Corr. File rec. corr.

(Patent Office. Please stamp and return to addressee on reverse side.)



LERNER AND GREENBERG, P.A.
P.O. Box 2480
Hollywood, FL 33022-2480



PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Box ISSUE FEE
Commissioner for Patents
Washington, D.C. 20231
Fax (703)746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)
 7590 05/16/2002

LERNER AND GREENBERG PA
 POST OFFICE BOX 2480
 HOLLYWOOD, FL 330222480

Note: A certificate of mailing can only be used for domestic Fee(s) Transmittal. This certificate cannot be used accompanying papers. Each additional paper, such as a formal drawing, must have its own certificate of mailing or t

Certificate of Mailing or Transmission
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first envelope addressed to the Box Issue Fee address above, or transmitted to the USPTO, on the date indicated below.

RALPH E. LOCHER
REG. NO. 41,947
August 16, 2002

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIR
09/322,715	05/28/1999	PETER HILDEBRANDT	GR98P4106	

TITLE OF INVENTION: COUPLING DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DA:
nonprovisional	NO	\$1280	\$0	\$1280	08/

EXAMINER	ART UNIT	CLASS-SUBCLASS
SONG, SARAH U	2874	385-053000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). <input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. <input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached. Use of a Customer Number is required.	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. Laurence A. 1 Werner H. S. 2 Gregory L. M. 3
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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignee has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Siemens Aktiengesellschaft

Muenchen, Germany

Please check the appropriate assignee category or categories (will not be printed on the patent) individual corporation or other private group entity

4a. The following fee(s) are enclosed:

Issue Fee
 Publication Fee
 Advance Order - # of Copies _____

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Commissioner is hereby authorized to charge the required fee(s), or credit any overpayment to Deposit Account Number _____ (enclose an extra copy of this form).

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified below.

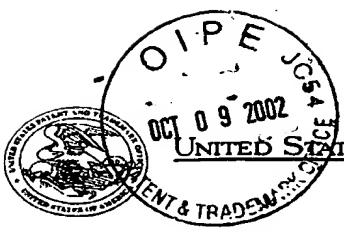
(Authorized signature) **RALPH E. LOCHER** (Date) **08/16/02**
REG. NO. 41,947

E: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/322,715	05/28/1999	PETER HILDEBRANDT	GR98P4106	8396

7590 09/24/2002

LERNER AND GREENBERG PA
POST OFFICE BOX 2480
HOLLYWOOD, FL 330222480

EXAMINER

SONG, SARAH U

ART UNIT

PAPER NUMBER

2874

DATE MAILED: 09/24/2002

PLT 77

RECEIVED SEP 30 2002

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS,
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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20132715

EXAMINER

ART UNIT	PAPER NUMBER
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P#17

DATE MAILED:

NOTICE OF ABANDONMENT

This application is abandoned in view of:

Applicant's failure to timely file a proper response to the Office letter mailed on _____.

A response (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for response (including a total extension of time of _____ month(s)) which expired on _____.

A proposed response was received on _____, but it does not constitute a proper response to the final rejection.

(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).)

No response has been received.

Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.

The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____.

The submitted issue fee of \$_____ is insufficient. The issue fee required by 37 CFR 1.18 is \$_____.

The issue fee has not been received.

Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.

Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) were received on _____.

The proposed new formal drawings filed _____ are not acceptable.

No proposed new formal drawings have been received.

The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on _____.

The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

The reason(s) below:

ABANDONMENT
CONTACT PERSON IS:
TOM HAWKINS
305-8380